

FILED

Sep 17 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 UNITED STATES OF AMERICA,) CASE NO. CR 4:20-MJ-71283-MAG (AGT)

15 Plaintiff,)

16 v.)

17 ERIC CARRILLO,)

18 Defendant.)

) **DETENTION ORDER**

1 On September 8, 2020, the United States Attorney's Office filed a criminal complaint charging
2 Defendant with Conspiracy to Deal Firearms Without a License. Dkt. 1.

3 This matter came before the Court on September 15, 2020, for a detention hearing. Dkt. 10.
4 Defendant Carrillo appeared by videoconference, with his consent, and was in custody at the time of the
5 hearing. Defendant was represented by Gail Shifman, Esq. Assistant United States Attorney Jonathan
6 Lee appeared for the government. The government moved for detention at defendant's initial
7 appearance on September 11, 2020. Dkt. 5. The government filed a written motion for detention on
8 September 14, 2020. Dkt. 8. Defendant opposed the motion at the hearing, at which time counsel for
9 both parties submitted proffers and arguments regarding detention.

10 Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on
11 the record, the Court finds by clear and convincing evidence that no condition or combination of
12 conditions will reasonably assure the safety of any other person or the community. Accordingly, the
13 defendant must be detained pending trial in this matter.

14 The present order supplements the Court's findings and order at the detention hearing and serves
15 as written findings of fact and a statement of reasons as required by Title 18, United States Code,
16 Section 3142(i)(1). As noted on the record, the Court makes the following finding as the basis for its
17 conclusion that no condition or combination of conditions will reasonably assure the safety of any other
18 person or the community: The Court noted as factors supporting its conclusion its concern over the
19 nature of the firearms involved in the offense conduct and the defendant's affiliation with the Sureno
20 gang. The Court described the offense conduct as very concerning because of the danger posed to the
21 community. For these and all the reasons and discussion on the record, the Court granted the
22 government's motion for detention, finding that the government carried its burden to demonstrate by
23 clear and convincing evidence that Defendant poses a danger to the community. Therefore, the Court
24 therefore concluded that no condition or combination of conditions will reasonably assure the safety of
25 any other person or the community.

26 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

27 1. The defendant be, and hereby is, committed to the custody of the Attorney General for
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1 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
2 sentences or being held in custody pending appeal;

3 2. The defendant be afforded reasonable opportunity for private consultation with counsel;

4 and

5 3. On order of a court of the United States or on request of an attorney for the government,
6 the person in charge of the corrections facility in which the defendant is confined shall deliver the
7 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a
8 court proceeding.

9 IT SO ORDERED.

10 DATED: September 17, 2020



11 HON. ALEX G. TSE
12 UNITED STATES MAGISTRATE JUDGE

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